

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Citrus Road Rezone, Request for Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential), and Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District) (John Percy, applicant)

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Donald Fisher **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 8/12/03 **Regular** ☐ **Consent** ☐ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. TRANSMIT the requested Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) on 36 acres located on east side of Citrus Road, ½ mile north of Red Bug Lake Road (John Percy, applicant); or
2. DENY the requested Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) on 36 acres located on east side of Citrus Road, ½ mile north of Red Bug Lake Road (John Percy, applicant); or
3. Continue the item to a time and date certain.

(District 2 – Comm. Morris)

(Jeff Hopper, Senior Planner)

BACKGROUND:

The applicant requests a change in future land use designation from Suburban Estates (SE) to Low Density Residential (LDR), and a subsequent rezoning from A-1 to R-1A. Proposed development on the site is single family residential at a maximum of 4 units per net buildable acre. The site is located between existing single family development to the east and west at similar densities.

LPA RECOMMENDATION:

On July 9, 2003, the Seminole County Land Planning Agency voted 5-0 to recommend transmittal of the request to the State of Florida for processing as a Large Scale Land Use Amendment, per Staff recommendation.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to transmit the Large Scale Land Use Amendment with the condition that, if approved, the north 135' of the subject property will be rezoned to R-1AAA (Single Family Dwelling District).

Reviewed by: KZC
Co Atty:
DFS:
OTHER: MW
DCM: SS
CM:
File No. ph700pdp04

MINUTES FOR THE SEMINOLE COUNTY LPA/P&Z COMMISSION
WEDNESDAY, JULY 9, 2003
6:00 P.M.

Members present: Ben Tucker, Beth Hattaway, Chris Dorworth, Alan Peltz

Members absent: Dick Harris, Dudley Bates

School Board Representative Present: Dianne Kramer

Also present: Matt West, Planning Manager, Earnest McDonald, Principal Coordinator, J.V. Torregrosa, Planner, Jeff Hopper, Senior Planner, Tony Matthews, Principal Coordinator, Karen Consalo, Assistant County Attorney, and Candace Lindlaw-Hudson, Senior Staff Assistant.

F. Citrus Road Rezone And Land Use Amendment; Glatting Jackson/John Percy, applicant; approximately 36 acres; Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential); and Rezone from A-1 (Agriculture) to R-1A (Single Family Residential); east side of Citrus Road, ½ mile north of Red Bug Lake Road. (Z2003-009) (03F.FLU01)

Commissioner Morris – District 2

Jeff Hopper, Senior Planner

Mr. Hopper stated that the staff recommendation was for approval with R-1AAA zoning on the northern tier of lots.

Dianne Kramer stated that this project will have a minimum impact on schools.

John Percy stated that there is a trail on the north side of the property.

M. Pevlakni stated that there are larger lots to the north. There is a serious water problem here. There is also a school crowding problem. There is a need for one acre lots.

Carol Medico said that she wanted a 50 foot buffer of trees. She also would like a 6 foot masonry wall.

Tracy Peffler stated that this area will be filled with children. The schools will be impacted. There is also major flooding here. She is concerned with wildlife and would like 2 homes per acre.

Adrian Starichuvich was opposed to further development in the area.

Commissioner Mahoney made a motion to recommend approval as per the staff report.

Commissioner Hattaway seconded the motion.

Commissioner Mahoney stated that the trend of development is to exceed minimum criteria for development. R-1A is compatible.

Matt West stated that this will probably be 2 to 2.5 units per acre, including the roads.

Commissioner Tucker questioned the minimum house size.

The applicant stated that the homes would exceed minimum for the zoning. He is planning to do the building in the future, not now.

Commissioner Tucker said that 1,600 square feet is too small. 2,000 square feet is better.

Commissioner Mahoney said that these homes will be 2,100 to 3,000 square feet in size due to the area.

Commissioner Mahoney restated his motion recommending transmittal from SE to LDR and rezone from R-1A and the northern tier to R-1AAA, with 1,600 square feet minimum house size.

Commissioner Dorworth seconded the motion.

The motion passed by a vote of 4 – 1. Commissioner Tucker was opposed.

Citrus Road Large Scale Land Use Amendment Staff Report

Suburban Estates (SE) to Low Density Residential (PD)		Amendment (Z2003-009 03F.FLU01)
REQUEST		
APPLICANT	John Percy / Glatting Jackson	
PLAN AMENDMENT	Large Scale Land Use Amendment from Suburban Estates (SE) to Low Density Residential (LDR)	
REZONING	A-1 (Agriculture) to R-1A (Single Family Dwelling District)	
APPROXIMATE GROSS ACRES	36	
LOCATION	east side of Citrus Road, ½ mile north of Red Bug Lake Road	
BCC DISTRICT	District 2 – Morris	
RECOMMENDATIONS AND ACTIONS		
LPA RECOMMENDATION	On July 9, 2003 the Land Planning Agency (LPA) voted 5-0 to recommend transmittal of the request to the State of Florida, per Staff recommendation.	
STAFF RECOMMENDATION	Staff recommends APPROVAL of the request with R-1AAA on the north 135' of the subject property.	

STAFF ANALYSIS

Suburban Estates (SE) to Planned Development (PD)

Amendment
(Z2003-011
03F.FLU02)

1. **Property Owner:** Blanche N. Lloyd, Trustee
2. **Tax Parcel Numbers:** 18-21-31-300-0040-0000
18-21-31-300-004A-0000
3. **Development Trends:** The development trend in the area consists almost entirely of single family subdivisions at densities compatible with the requested LDR land use designation. While an adjacent subdivision in Winter Springs to the north was developed at just under 1 unit per acre, other developments in Seminole County to the east and west are comparable to the requested density for this site.

SITE DESCRIPTION

1. **EXISTING AND PERMITTED USES:** The future land use designation of Suburban Estates (SE), currently assigned to the majority of the subject property, permits single family residential development at a maximum density of 1 dwelling unit per net buildable acre. (The easterly 275 feet of the site, approximately 5.5 acres, already has the LDR designation.) Existing A-1 zoning allows agricultural and related low-intensity uses. The subject property contains a single family home.

Location	Future Land Use*	Zoning*	Existing Use
North	CITY	CITY	Single family residential
South	LDR	A-1	Rainbow Elementary
East	LDR	R-1A	Single family residential
West	PD/LDR	PUD/A-1	Single family residential

**See enclosed future land use and zoning maps for more details.*

COMPREHENSIVE PLAN CONSISTENCY

2. PLAN PROGRAMS - Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction. Each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved.

Summary of Program Impacts: The proposed amendment does not alter the options or long-range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan. The amendment request would not be in conflict with the Metroplan Orlando Plan or the Florida Department of Transportation's 5-Year Plan (Transportation Policy 14.1).

A. **Traffic Circulation - Consistency with Future Land Use Element:** *In terms of all development proposals, the County shall impose a linkage between the Future Land Use Element and the Transportation Element and all land development activities shall be consistent with the adopted Future Land Use Element (Transportation Policy 2.1).*

Access to the subject property is via Citrus Road, a local road connecting to Red Bug Lake Road. The existing Level of Service (LOS) on this portion of Red Bug Lake Road is "C", with an adopted LOS standard of "E".

B. **Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps:** *Figure 11.1 and Figure 14.1 are the water and sewer service area maps for Seminole County*

The subject property is within the Seminole County water and sewer service area. Water and sewer service are currently available to the site

C. **Public Safety – Adopted Level of Service:** *The County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes (Public Safety Policy 12.2.2).*

The property is served by the Seminole County EMS/Fire Station #27. Response time to the site is less than 5 minutes, which meets the County's average response time standard of 5 minutes.

3. REGULATIONS - The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Vision 2020 Plan, but are not applied in detail at this stage.

A. **Preliminary Development Orders: Capacity Determination:** *For preliminary development orders and for final development orders under which no development activity impacting public facilities may ensue, the capacity of Category I and Category III public facilities shall be determined as follows...No rights to obtain final development orders under which development activity impacting public facilities may ensue, or to obtain development permits, nor any other rights to develop the subject property shall be deemed to have been granted or implied by the County's approval of the development order without a determination having previously been made that the capacity of public facilities will be available in accordance with law (Implementation Policy 1.2.3).*

A review of the availability of public facilities to serve this property indicates that there would be adequate facilities to serve this area, and that the proposed Plan amendment would create no adverse impacts to public facilities.

B. **Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection:** *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-1) and Wetlands (W-1) Overlay Zoning classifications...(Policy FLU 1.2 and 1.3).*

The site contains less than 5% wetlands or flood prone areas, and can be developed within requirements of the Vision 2020 Plan and Land Development Code.

C. **Protection of Endangered and Threatened Wildlife:** *The County shall continue to require, as part of the Development Review Process, proposed development to coordinate those processes with all appropriate agencies and comply with the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission Rules as well as other applicable Federal and State Laws regarding protection of endangered and threatened wildlife prior to development approval (Conservation Policy 3.13).*

A threatened and endangered species report shall be required prior to final engineering approval for any proposed development on the subject property.

4. DEVELOPMENT POLICIES - Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location, and timing of the proposed amendment.

A. **Compatibility:** When the County's Future Land Use Map (FLUM) was developed in 1987, land use compatibility issues were evaluated and ultimately defined through a community meeting/hearing process that involved substantial public comment and input. When amendments are proposed to the FLUM, however, staff makes an initial evaluation of compatibility, prior to public input and comment, based upon a set of professional standards that include, but are not limited to criteria such as: (a) long standing community development patterns; (b) previous policy direction from the Board of County Commissioners; (c) other planning principles articulated in the Vision 2020 Plan (e.g., appropriate transitioning of land

uses, protection of neighborhoods, protection of the environment, protection of private property rights, no creation of new strip commercial developments through plan amendments, etc.).

Based upon an initial evaluation of compatibility, the proposed LDR land use would be compatible with future land use designations on adjoining properties to the east and west. It is also considered to be compatible with Suburban Estates, the County land use designation most nearly equivalent to the existing subdivision adjacent to the north in Winter Springs.

Applicable Plan policies include, but are not limited to, the following:

Transitional Land Uses: *The County shall evaluate plan amendments to insure that transitional land uses are provided as a buffer between residential and non-residential uses, between varying intensities of residential uses, and in managing the redevelopment of areas no longer appropriate as viable residential areas. "Exhibit FLU: Appropriate Transitional Land Uses" is to be used in determining appropriate transitional uses. (Policy FLU 2.5)*

"Exhibit FLU: Appropriate Transitional Land Uses" indicates that the proposed LDR is an appropriate transitional use adjacent to other LDR areas.

Other applicable plan policies include:

FLU 2.1 Subdivision Standards.

FLU 2.12 On-Site Traffic Flow

FLU 5.5: Water and Sewer Service Expansion

Low Density Residential Future Land Use Definition

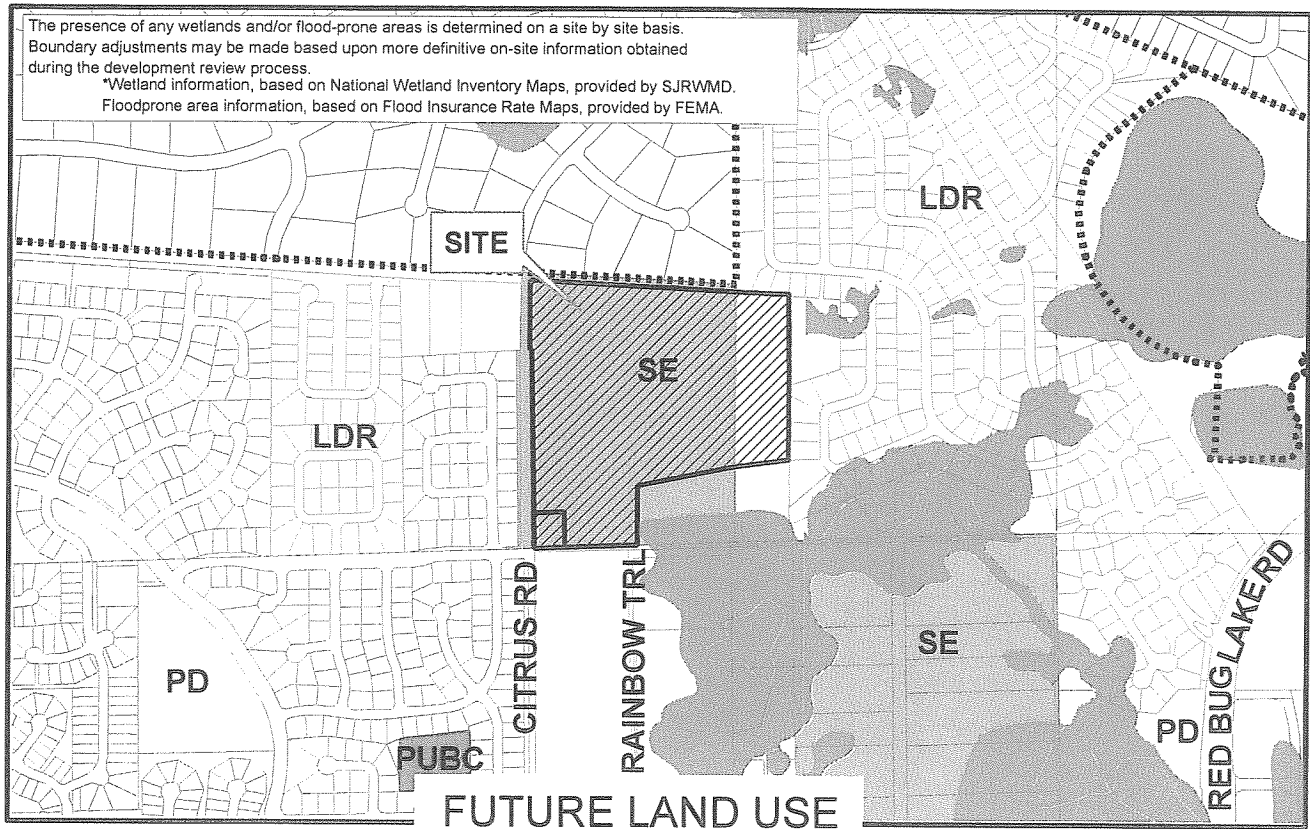
B. Concurrency Review - Application to New Development: *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public facilities level of service standards and schedules of capital improvements...shall be applied and evaluated...consistent with policies of the Implementation Element... (Capital Improvements Policy 3.2).*

This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued only if public facilities meeting the adopted LOS are available or will be available concurrent with the development. Additionally, preliminary development orders shall only be issued with the condition that no rights to obtain final development orders or development permits, nor any other rights to develop the subject property are granted or implied by the County's approval of the preliminary development order.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request subject to the north 135 feet being rezoned to R-1AAA.

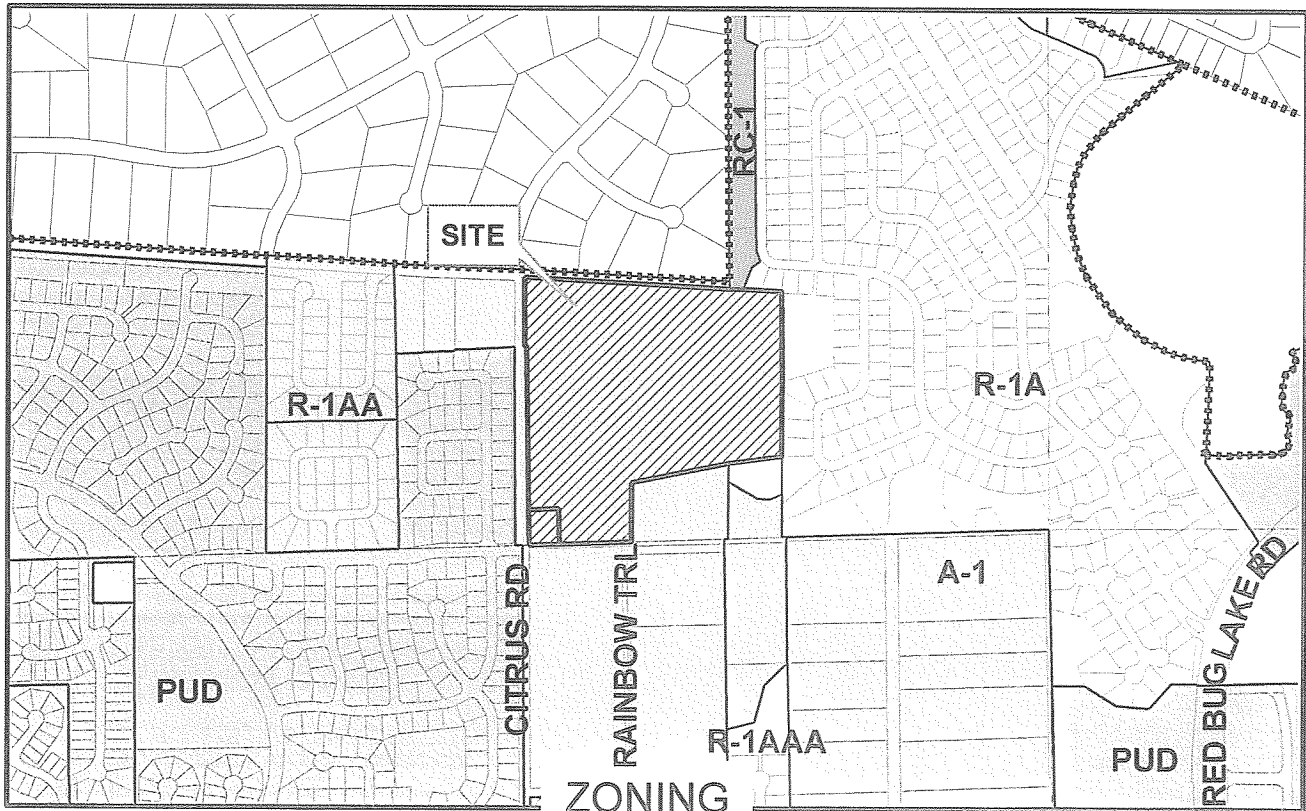
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site
 Municipality
 LDR
 PD
 PUBC
 SE

Applicant: Glatting Jackson
 Physical STR: 18-21-31-300-0040 & 004A-0000
 Gross Acres: 36 BCC District: 2
 Existing Use: Grazing Land
 Special Notes: _____

	Amend/ Rezone#	From	To
FLU	03F.FLU01	SE/LDR	LDR
Zoning	Z2003-009	A-1	R-1A



A-1
 PUD
 RC-1
 R-1A
 R-1AA
 R-1AAA



Amendment No: 03F.FLU01

From: SE/LDR To: LDR

Rezone No: Z2003-009

From: A-1 To: R-1A

 Parcel

 Subject Property



NOT TO SCALE

February 1999 Color Aerials